

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**14TH LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**TUESDAY, FEBRUARY 15, 2011**

**12:19 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES**  
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**14th Legislative Day**

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**NOTE:** Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website ([www.ilga.gov](http://www.ilga.gov)). For inquiries regarding this, please contact the House Clerk's office.

The House met pursuant to adjournment.  
Representative Lang in the chair.  
Prayer by Wayne Padget, the Assistant Doorkeeper.  
Representative David Harris led the House in the Pledge of Allegiance.  
By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:  
112 present. (ROLL CALL 1)

By unanimous consent, Representatives Golar, Mulligan and Sommer were excused from attendance.

## **REPORTS**

The Clerk of the House acknowledges receipt of the following correspondence:

2010 Report on Quarter Percent Sales Tax for Transportation and Public Safety for Lake County, submitted by Patrice Sutton Burger, Controller, Lake County on February 14, 2011.

Appraisal Review Certification for Parcel Numbers 3EX0101, 3LR0111, 675X345, 3LR0122, 3LR0120, 3LR0118, 800XC48, 409641V, 2XR1074, and 2DR1X92 per Requirements of House Bill 1291, submitted by Illinois Department of Transportation on February 14, 2011.

## **LETTERS OF TRANSMITTAL**

February 14, 2011

Mark Mahoney  
Clerk of the House  
House of Representatives  
420 State House  
Springfield, IL 62706

Dear Mr. Clerk:

Attached, please find the Republican committee appointments for the 97th General Assembly. These appointments are effective immediately.

If you have any questions, please feel free to contact Scott Reimers, Deputy Chief of Staff, at 782-9602.

Sincerely,  
s/Tom Cross  
House Republican Leader

### **Committee**

#### **Aging**

### **Republican Appointments**

#### **Sandy Pihos, Spokesperson**

John Cavaletto  
Norine Hammond  
David Harris  
Chad Hays  
Jerry Mitchell  
Wayne Rosenthal  
Pam Roth  
Skip Saviano  
Joe Sosnowski

### **Members**

**11**

Mike Unes

<b>Agriculture &amp; Conservation</b>	<b>Jim Sacia, Spokesperson</b> Jason Barickman John Cavaletto Norine Hammond Chad Hays Don Moffitt Wayne Rosenthal	<b>7</b>
<b>Appropriations-Elementary &amp; Secondary Education</b>	<b>Roger Eddy, Spokesperson</b> Patti Bellock Sandy Cole Renée Kosel Jerry Mitchell Rosemary Mulligan Sandy Pihos Bob Pritchard Pam Roth Joe Sosnowski	<b>10</b>
<b>Appropriations-General Services</b>	<b>Sandy Cole, Spokesperson</b> Mark Beaubien David Harris Kay Hatcher Tom Morrison Randy Ramey	<b>7</b>
<b>Appropriations-Higher Education</b>	<b>Chapin Rose, Spokesperson</b> Mike Bost Dan Brady Rich Brauer John Cavaletto Norine Hammond Rich Morthland Raymond Poe Bob Pritchard	<b>9</b>
<b>Appropriations-Human Services</b>	<b>Rosemary Mulligan, Spokesperson</b> Patti Bellock Chad Hays David Leitch Pam Roth Darlene Senger Ron Stephens	<b>7</b>
<b>Appropriations-Public Safety</b>	<b>David Reis, Spokesperson</b> Adam Brown Chad Hays Bill Mitchell Chris Nybo Jim Sacia Skip Saviano	<b>7</b>
<b>Armed Forces &amp; Military Affairs</b>	<b>Don Moffitt, Spokesperson</b> Wayne Rosenthal	<b>2</b>

<b>Business &amp; Occupational Licenses</b>	<b>Sandy Cole, Spokesperson</b> Franco Coladipietro Mike Connelly Mike McAuliffe Skip Saviano	<b>5</b>
<b>Cities &amp; Villages</b>	<b>Sid Mathias, Spokesperson</b> Mike Fortner Rich Morthland Joe Sosnowski Mike Unes	<b>5</b>
<b>Consumer Protection</b>	<b>Ed Sullivan, Spokesperson</b> Jason Barickman Roger Eddy Norine Hammond Chris Nybo Sandy Pihos Randy Ramey Pam Roth	<b>8</b>
<b>Counties &amp; Townships</b>	<b>Randy Ramey, Spokesperson</b> Kay Hatcher Rich Morthland	<b>3</b>
<b>Disability Services</b>	<b>Sandy Pihos, Spokesperson</b> Patti Bellock	<b>2</b>
<b>Elections &amp; Campaign Reform</b>	<b>Dan Brady, Spokesperson</b> David Reis Jim Sacia	<b>3</b>
<b>Elementary &amp; Secondary Education</b>	<b>Jerry Mitchell, Spokesperson</b> John Cavaletto Roger Eddy Don Moffitt Tom Morrison Sandy Pihos Bob Pritchard David Reis Pam Roth Darlene Senger Jim Watson	<b>11</b>
<b>Environment &amp; Energy</b>	<b>Mike Tryon, Spokesperson</b> Adam Brown Jim Durkin Chris Nybo Raymond Poe Dennis Reboletti Chapin Rose Wayne Rosenthal David Winters	<b>9</b>
<b>Executive</b>	<b>Dan Brady, Spokesperson</b> Mike Bost Ed Sullivan	<b>4</b>

Mike Tryon

<b>Financial Institutions</b>	<b>Franco Coladipietro, Spokesperson</b> Patti Bellock Rich Brauer Mike Connelly Kay Hatcher Dwight Kay Bill Mitchell Chapin Rose Wayne Rosenthal Darlene Senger Jil Tracy	<b>11</b>
<b>Health Care Availability &amp; Accessibility</b>	<b>Dennis Reboletti, Spokesperson</b> David Harris Chad Hays Rosemary Mulligan Keith Sommer Mike Tryon	<b>6</b>
<b>Health Care Licenses</b>	<b>Skip Saviano, Spokesperson</b> Renée Kosel Mike McAuliffe Rosemary Mulligan	<b>4</b>
<b>Higher Education</b>	<b>Bob Pritchard, Spokesperson</b> Jason Barickman Mike Bost Chad Hays Rich Morthland	<b>5</b>
<b>Human Services</b>	<b>Patti Bellock, Spokesperson</b> Sandy Cole Norine Hammond JoAnn Osmond Tim Schmitz	<b>5</b>
<b>Insurance</b>	<b>Bill Mitchell, Spokesperson</b> Mark Beaubien Dan Brady Tom Morrison David Reis Chapin Rose JoAnn Osmond Darlene Senger Mike Unes	<b>9</b>
<b>International Trade &amp; Commerce</b>	<b>Keith Sommer, Spokesperson</b> Franco Coladipietro Renée Kosel Jim Sacia Mike Unes Jim Watson Dave Winters	<b>7</b>
<b>Judiciary I: Criminal Law</b>	<b>Jil Tracy, Spokesperson</b>	<b>4</b>

Mike Connelly  
Dwight Kay  
Sid Mathias

<b>Judiciary II: Criminal Law</b>	<b>Dennis Reboletti</b> David Reis Jim Sacia	<b>3</b>
<b>Labor</b>	<b>Jil Tracy, Spokesperson</b> Mark Beaubien Patti Bellock Roger Eddy David Leitch JoAnn Osmond Tim Schmitz Ron Stephens Ed Sullivan	<b>9</b>
<b>Mass Transit</b>	<b>Sid Mathias, Spokesperson</b> Patti Bellock Jim Durkin Mike Fortner David Harris Renée Kosel Tom Morrison Chris Nybo Darlene Senger Ed Sullivan Mike Tryon	<b>11</b>
<b>Personnel &amp; Pensions</b>	<b>Raymond Poe, Spokesperson</b> Tom Morrison Darlene Senger Dave Winters	<b>4</b>
<b>Public Utilities</b>	<b>Mike Bost, Spokesperson</b> Franco Coladipietro Mike Connelly Jim Durkin Mike Fortner Kay Hatcher Rich Morthland Skip Saviano Ed Sullivan Jil Tracy Dave Winters	<b>11</b>
<b>Revenue &amp; Finance</b>	<b>David Harris, Spokesperson</b> Mark Beaubien Sandy Cole Ed Sullivan	<b>4</b>
<b>Small Business Empowerment &amp; Workforce Development</b>	<b>Mike Tryon, Spokesperson</b> Mike Connelly Kay Hatcher Dwight Kay Renée Kosel	<b>9</b>



Jerry Mitchell  
 Darlene Senger  
 Ron Stephens  
 Mike Unes

<b>State Government Administration</b>	<b>Randy Ramey, Spokesperson</b> Jason Barickman David Harris Sid Mathias Jerry Mitchell Bob Pritchard Jim Watson	<b>7</b>
<b>Telecommunications</b>	<b>Dave Winters, Spokesperson</b> Jason Barickman Adam Brown Bill Mitchell Randy Ramey Tim Schmitz Ed Sullivan Mike Tryon	<b>8</b>
<b>Transportation: Regulation, Roads &amp; Bridges</b>	<b>Rich Brauer, Spokesperson</b> Dwight Kay Mike McAuliffe Chris Nybo Raymond Poe Keith Sommer Joe Sosnowski	<b>7</b>
<b>Transportation: Vehicles &amp; Safety</b>	<b>Don Moffitt, Spokesperson</b> Dennis Reboletti Mike Unes	<b>3</b>
<b>Rules</b>	<b>Tim Schmitz, Spokesperson</b> David Leitch	<b>2</b>
<b>Special Committee on Adoption Reform</b>	<b>Keith Sommer, Spokesperson</b> Sandy Cole Rich Morthland	<b>3</b>
<b>Special Committee on Bio-Technology</b>	<b>Mike Fortner, Spokesperson</b> Jason Barickman Franco Coladipietro Roger Eddy	<b>4</b>
<b>Special Committee on Environmental Health</b>	<b>Dave Winters, Spokesperson</b> Mike Fortner Bob Pritchard Chapin Rose Pam Roth Jil Tracy Mike Tryon	<b>7</b>
<b>Special Committee on Health &amp; Healthcare Disparities</b>	<b>JoAnn Osmond, Spokesperson</b> Mike Bost Roger Eddy	<b>7</b>

[February 15, 2011]

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Renée Kosel  
Rosemary Mulligan  
Tim Schmitz  
Mike Tryon  
Jim Watson

**Special Committee on Housing**

**David Leitch, Spokesperson**

**6**

Renée Kosel  
JoAnn Osmond  
Tim Schmitz  
Ron Stephens  
Jim Watson

**Special Committee on  
Tollway Oversight**

**Mike Fortner, Spokesperson**

**6**

Jim Durkin  
Sid Mathias  
Tom Morrison  
Chris Nybo  
Dennis Reboletti

**Special Committee on  
Tourism & Conventions**

**Rich Brauer, Spokesperson**

**9**

Sandy Cole  
Kay Hatcher  
Jerry Mitchell  
Randy Ramey  
Jim Sacia  
Keith Sommer  
Jil Tracy  
Mike Unes

**Special Committee on  
Veterans' Affairs**

**Jim Watson, Spokesperson**

**10**

Mike Bost  
Adam Brown  
Mike Connelly  
Jerry Mitchell  
Don Moffitt  
JoAnn Osmond  
Bob Pritchard  
Wayne Rosenthal  
Jim Sacia

February 15, 2011

Mark Mahoney  
Clerk of the House  
HOUSE OF REPRESENTATIVES  
420 Capitol Building  
Springfield, IL 62706

Dear Mr. Clerk:

The following changes to the 97th General Assembly House Committees are effective immediately.

**Agriculture & Conservation**

Add Representatives Jack McGuire and Frank Mautino as Majority appointments.

Membership is changed to: 8 Majority appointments  
7 Minority appointments

**Higher Education**

Add Representatives Chuck Jefferson and LaShawn Ford as Majority appointments.

Membership is changed to: 6 Majority appointments  
5 Minority appointments

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

February 15, 2011

Mr. Mark Mahoney  
Chief Clerk of the House  
420 State House  
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised that I am making the following committee changes:

**Elementary & Secondary Education**

**Remove** Representative Jim Watson and **replace** with Representative Bill Mitchell

Please feel free to contact my office if you have any questions.

Sincerely,  
s/Tom Cross  
House Republican Leader

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 15, 2011, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Aging: HOUSE BILL 1426.  
Agriculture & Conservation: HOUSE BILLS 1383 and 1403.  
Appropriations-Elementary & Secondary Education: HOUSE BILL 1472.  
Appropriations-General Services: HOUSE BILL 1387.  
Appropriations-Higher Education: HOUSE BILL 1465.  
Appropriations-Public Safety: HOUSE BILL 1389.  
Business & Occupational Licenses: HOUSE BILLS 1394 and 1490.  
Cities & Villages: HOUSE BILLS 1303, 1320, 1384 and 1390.  
Consumer Protection: HOUSE BILL 1398.  
Counties & Townships: HOUSE BILLS 1404, 1481 and 1491.  
Elections & Campaign Reform: HOUSE BILLS 1416 and 1482.

Elementary & Secondary Education: HOUSE BILLS 1406, 1414, 1415, 1466, 1467, 1473, 1478 and 1509.

Environment & Energy: HOUSE BILL 1441.

Executive: HOUSE BILLS 1301, 1328, 1381, 1411, 1412, 1413, 1417, 1418, 1419, 1420, 1421, 1430, 1431, 1432, 1433, 1435, 1436, 1439, 1440, 1443, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1460, 1493, 1496, 1497, 1498, 1499, 1500 and 1505 SENATE BILL 1: HOUSE AMENDMENT No. 1 to HOUSE BILL 176.

Health Care Availability and Accessibility: HOUSE BILLS 1402, 1429, 1474, 1476 and 1479.

Health Care Licenses: HOUSE BILLS 1380, 1477 and 1494.

Higher Education: HOUSE BILL 1503.

Human Services: HOUSE BILLS 1391, 1399, 1409, 1425, 1463, 1470, 1480, 1485, 1488 and 1489: HOUSE AMENDMENT No. 1 to HOUSE BILL 106.

Insurance: HOUSE BILLS 1424 and 1475.

Judiciary I - Civil Law: HOUSE BILLS 1337, 1367, 1382, 1428, 1461 and 1483 HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 2.

Judiciary II - Criminal Law: HOUSE BILLS 1446 and 1495 HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 3.

Labor: HOUSE BILLS 1400 and 1427.

Personnel and Pensions: HOUSE BILLS 1447, 1471 and 1502.

Public Utilities: HOUSE BILLS 1288, 1396 and 1422.

Revenue & Finance: HOUSE BILLS 1386, 1388, 1401, 1405, 1408, 1423, 1437, 1442, 1464, 1468, 1486 and 1508.

State Government Administration: HOUSE BILLS 1298, 1392, 1407, 1434, 1444, 1484 and 1506.

Transportation, Regulation, Roads & Bridges: HOUSE BILLS 1397, 1438 and 1462.

Transportation: Vehicles & Safety: HOUSE BILLS 1385, 1410 and 1492.

Environmental Health: HOUSE BILL 1469.

Veterans' Affairs: HOUSE BILL 1445.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson

A Schmitz(R), Republican Spokesperson

Y Lang(D)

Y Leitch(R)

Y Mautino(D)

### **FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 171 and 1397.

### **JUDICIAL NOTE SUPPLIED**

A Judicial Note has been supplied for HOUSE BILL 1397.

### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Gabel was removed as principal sponsor, and Representative Feigenholtz became the new principal sponsor of HOUSE BILL 1096.

With the consent of the affected members, Representative Tryon was removed as principal sponsor, and Representative Beaubien became the new principal sponsor of HOUSE BILL 219.

### **HOUSE RESOLUTIONS**

The following resolutions were offered and placed in the Committee on Rules.

## HOUSE RESOLUTION 52

Offered by Representative Kay:

WHEREAS, Recent media reports indicate that since 2008, nearly \$10 million in State taxpayer funds has been awarded in workers' compensation payments to more than 230 employees at the Menard Correctional Center who contended they were injured through repetitive trauma caused by operating manual cell locking mechanisms; and

WHEREAS, Recent media reports also indicate that approximately 25% of the arbitrators employed by the Illinois Workers' Compensation Commission ("Commission") have received workers' compensation awards, including nearly \$50,000 to the arbitrator who approved many of the workers' compensation settlements to the guards at the Menard Correctional Center; and

WHEREAS, According to the Illinois Workers' Compensation Commission, many of these payments were "uncontested settlements" and information regarding the payments or process of awarding the payments is not included in a database maintained by the Commission, therefore, the public did not have access to these awards; and

WHEREAS, The Department of Central Management Services, Risk Management Division has statutory responsibility to administer the Workers' Compensation Program for State of Illinois agencies; and

WHEREAS, The Office of the Illinois Attorney General is responsible for the defense of claims arising from work-related injuries or diseases affecting State agency employees; and

WHEREAS, The Illinois Workers' Compensation Commission is required to approve settlement agreements for uncontested claims; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed pursuant to Section 3-2 of the Illinois State Auditing Act to conduct an audit of awards approved by the Illinois Workers' Compensation Commission for claims filed by employees of Menard Correctional Center and arbitrators employed by the Commission from 2008 to the present; and be it further

RESOLVED, That the audit include, but not be limited to, the following areas:

(1) A review of the processing of awards paid to employees of Menard Correctional Center and other correctional facilities, including procedures for determining compensability and proper negotiation and approval of settlements, and procedures followed to maintain records of such settlements;

(2) A review of the processing of awards for arbitrators of the Illinois Workers' Compensation Commission, including procedures for determining compensability and proper negotiation and approval of settlements, and procedures followed to maintain records of such settlements;

(3) A review of "uncontested claims" procedures utilized by the Illinois Workers' Compensation Commission, including the roles of the Illinois Department of Central Management Services and the Illinois Attorney General, with respect to approval of awards paid to Menard Correctional Workers and Illinois Workers' Compensation Commission arbitrators;

(4) Whether procedures followed by the Commission, CMS, and the Attorney General's Office in processing workers' compensation claims of Menard Correctional Workers and Illinois Workers' Compensation Commission arbitrators comply with applicable State laws and administrative regulations;

(5) Whether appropriate safeguards are in place to mitigate against payment of taxpayer dollars for improper or fraudulent workers' compensation claims; and

(6) Whether procedures necessary to ensure public transparency and accountability were implemented with respect to the processing of the workers' compensation claims of Menard Correctional Workers and arbitrators employed by the Commission; and be it further

RESOLVED, That the Illinois Workers' Compensation Commission and any other State agency, entity, or person that may have information relevant to this audit cooperate fully and promptly with the process; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of Section 3-14 of the Illinois

State Auditing Act.

## HOUSE RESOLUTION 56

Offered by Representative Dunkin:

WHEREAS, Title XIV of the Environmental Protection Act was enacted with the recognition that the improper disposal of used and waste tires is a growing solid waste problem; and

WHEREAS, Despite the requirements of the Environmental Protection Act, the open-dumping and accumulation of used and waste tires continues to threaten not only public health, but also air and water quality in the State; and

WHEREAS, The health and welfare of the people of the State would benefit from a comprehensive plan to cure these problems by making it easier to identify the persons who are ultimately responsible for the improper disposal of used and waste tires; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Environmental Protection Agency to develop a cost-effective plan to more readily identify persons who are improperly disposing of used and waste tires; and be it further

RESOLVED, That the plan include a detailed statement of the additional enforcement actions that the Agency proposes taking to curtail the improper disposal of used and waste tires; and be it further

RESOLVED, That the plan include an analysis of the feasibility of implementing a system to require businesses that transport, store, or dispose of large quantities of used or waste tires to mark or label tires that have been accepted for transfer, storage, or disposal; and be it further

RESOLVED, That the plan also include a detailed statement of the proposed statutory and regulatory changes that are necessary to more readily identify persons who are improperly disposing of used and waste tires; and be it further

RESOLVED, That the Illinois Environmental Protection Agency submit the plan to the General Assembly for its consideration no later than December 1, 2011.

## HOUSE RESOLUTION 60

Offered by Representative Biss:

WHEREAS, Children and the developing fetus are uniquely vulnerable to the health threats of toxic chemicals, and early-life chemical exposures have been linked to chronic disease later in life; and

WHEREAS, A growing body of peer-reviewed scientific evidence links exposure to toxic chemicals to many diseases and health conditions that are rising in incidence, including childhood cancers, prostate cancer, breast cancer, learning and developmental disabilities, infertility, and obesity; and

WHEREAS, The President's Cancer Panel report released in May 2010 says "the true burden of environmentally induced cancers has been grossly underestimated", and the panel advised the President "to use the power of your office to remove the carcinogens and other toxins from our food, water, and air that needlessly increase health care costs, cripple our nation's productivity, and devastate American lives"; and

WHEREAS, Workers in a range of industries are exposed to toxic chemicals that pose threats to their health, increasing worker absenteeism, worker compensation claims, and healthcare costs that burden the economy; and

WHEREAS, A recent national poll found that 78% of likely American voters were seriously concerned about the threat to children's health from exposure to toxic chemicals in day-to-day life; and

WHEREAS, States bear an undue burden from toxic chemicals, including health care costs and environmental damages, disadvantaging businesses that lack information on chemicals in their supply chain and increasing demands for state regulation; and

WHEREAS, The primary governing federal statute, the Toxic Substances Control Act of 1976 (TSCA), was intended to authorize the U.S. Environmental Protection Agency (EPA) to protect public health and the environment from toxic chemicals; and

WHEREAS, When the TSCA was passed, about 62,000 chemicals in commerce were grandfathered in without any required testing for health and safety hazards or any restrictions on usage; and

WHEREAS, In the 35 years since the TSCA passed, the EPA has required chemical companies to test only about 200 of those chemicals for health hazards and has issued partial restrictions on only 5 chemicals; and

WHEREAS, The TSCA has been widely recognized as ineffective and obsolete due to legal and procedural hurdles that prevent the EPA from taking quick and effective regulatory action to protect the public against well-known chemical threats; and

WHEREAS, In January 2009, the U.S. General Accounting Office (GAO) added the EPA's regulatory program for assessing and controlling toxic chemicals to its list of high risk government programs that are not working as intended, finding that:

- (1) the EPA has been unable to complete assessments even of chemicals of highest concern;
- (2) the EPA requires additional authority to obtain health and safety information from the chemical industry and to shift more of the burden to chemical companies to demonstrate the safety of their products; and
- (3) the TSCA does not provide sufficient chemical safety data for public use by consumers, businesses, and workers and fails to create incentives to develop safer alternatives; and

WHEREAS, The National Conference of State Legislatures unanimously adopted a resolution in July 2009 that articulated principles for TSCA reform and called on Congress to act to update the law; and

WHEREAS, In August 2010, the Environmental Council of States, the national association of state environmental agency directors, unanimously adopted a resolution entitled "Reforming the Toxic Substances Control Act", which endorsed specific policy reforms; and

WHEREAS, Ten states have come together to launch the Interstate Chemicals Clearinghouse to coordinate state chemical information management programs and a coalition of 13 states issued guiding principles for TSCA reform; and

WHEREAS, Seventy-one state laws on chemical safety have been enacted and signed into law in 18 states with broad bipartisan support over the last 8 years; and

WHEREAS, State policy leadership on chemical management, although outstanding, cannot substitute for Congressional leadership to reform the TSCA, a reform which all parties agree is urgently needed; and

WHEREAS, The TSCA is the only major federal environmental statute that has never been updated or reauthorized; and

WHEREAS, Legislation to substantially reform the TSCA was introduced during the 109th Congress in 2005, the 110th Congress in 2008, and again in the 111th Congress in 2010; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that The House of Representatives of the State of Illinois encourages the 112th United States Congress to enact federal legislation to modernize the Toxic Substances Control Act of 1976 to strengthen chemicals management through policy reforms that:

- (1) require chemical manufacturers to prove that all existing and new chemicals are not harmful to human health and provide essential health and safety information on chemicals to inform the market, consumers, and the public;
- (2) require immediate action to reduce or eliminate the worst chemicals, including persistent, bioaccumulative, and toxic chemicals (PBTs) and other priority toxics to which there is already widespread exposure;
- (3) preserve the authority of state and tribal governments to operate chemicals management programs that are more protective than the federal government's;
- (4) establish health safety standards for chemicals that rely on the best available science to protect the most vulnerable among us, such as children and the developing fetus;
- (5) reward innovation by fast-tracking approval of new, demonstrably safer chemicals and invest in green chemistry research and workforce development to boost American business and spur jobs, making safer alternatives; and
- (6) promote environmental justice by developing action plans to reduce disproportionate exposure to toxic chemicals in hot spot communities; and be it further

RESOLVED, That suitable copies of this resolution be presented to each member of the Illinois congressional delegation.

## HOUSE RESOLUTION 67

Offered by Representative Reis:

WHEREAS, The Tenth Amendment to the Constitution of the United States specifically provides that, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, The Tenth Amendment was part of the original Bill of Rights, which was proposed on September 25, 1789, ratified by three-fourths of the states, and went into effect on December 15, 1791; and

WHEREAS, The Tenth Amendment limits the scope of federal power and prescribes that the federal government was created by the states specifically to be an agent of the states, rather than the states being agents of the federal government; and

WHEREAS, When taking the oath of office, all members of the Illinois General Assembly solemnly swear that they will support the Constitution of the United States and the Constitution of the State of Illinois; and

WHEREAS, Many federal mandates are in direct violation of the Tenth Amendment to the Constitution of the United States and infringe upon both Illinois' reserve powers and the people's reserved powers; and

WHEREAS, The United States Supreme Court ruled in *New York v. United States*, 505 U.S. 144 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states by compelling them to enact and enforce regulatory programs; and

WHEREAS, The United States Supreme Court, in *Printz v. United States/Mack v. United States*, 521 U.S. 898 (1997), reaffirmed that the Constitution of the United States established a system of "dual sovereignty" that retains "a residuary and inviolable sovereignty" by the states; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the State of Illinois hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and be it further

RESOLVED, That this resolution shall serve notice to the federal government of our demand to maintain the balance of powers where the Constitution of the United States established it; and be it further

RESOLVED, That we state our intentions to ensure that all government agencies and their agents and employees operating within the geographic boundaries of the State of Illinois, or whose actions have an effect on the inhabitants, lands, or water of Illinois, shall operate within the confines of the original intent of the Constitution of the United States; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Illinois congressional delegation.

## AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

### HOUSE RESOLUTION 48

Offered by Representative Dugan:

Congratulates Jeff Bruno on being named the State Commander of the International Association of Fire Fighters Honor Guard.

### HOUSE RESOLUTION 49

Offered by Representative Cavaletto:

Congratulates Jena Hemann on the occasion of her incredible performance at the IHSA 2010 Girls Class 1A High School State Track and Field Meet.



## HOUSE RESOLUTION 50

Offered by Representative May:  
Congratulates the citizens of the City of Lake Forest on the occasion of the city's 150th anniversary.

## HOUSE RESOLUTION 51

Offered by Representative Bost:  
Mourns the death of Guy Anthony Renzaglia of Mahomet.

## HOUSE RESOLUTION 53

Offered by Representative Cross:  
Congratulates Sergeant Barry Groesch of the Yorkville Police Department on his retirement.

## HOUSE RESOLUTION 54

Offered by Representative Connelly:  
Mourns the death of Edmund O'Connor, co-founder of the Chicago Board Options Exchange, of Lake Forest.

## HOUSE RESOLUTION 55

Offered by Representative Connelly:  
Mourns the death of Miriam B. Fry of Naperville.

## HOUSE RESOLUTION 57

Offered by Representative Bradley:  
Congratulates Kathy Schimpf on the occasion of her retirement as Director of the Williamson County Child Advocacy Center.

## HOUSE RESOLUTION 58

Offered by Representative Cross:  
Congratulates Jim Detzler on the occasion of his retirement as president of the Oswego Fire Protection District.

## HOUSE RESOLUTION 59

Offered by Representative Farnham:  
Mourns the death of Jack E. Cook of Elgin.

## HOUSE RESOLUTION 61

Offered by Representative Howard:  
Mourns the death of Melvin Alexander, Sr. of Chicago.

HOUSE RESOLUTION 62

Offered by Representative Bellock:

Congratulates the Woodridge Park District on being awarded "Illinois Distinguished Accredited Agency" status by the Illinois Association of Park Districts and the Illinois Park and Recreation Association.

HOUSE RESOLUTION 63

Offered by Representative Rose:

Congratulates Mike Shanahan on completing his first season as Executive Vice President/Head Coach of the Washington Redskins.

HOUSE RESOLUTION 64

Offered by Representative Brown:

Congratulates Bob Fallstrom on the occasion of receiving the Seal of Excellence from Easter Seals Central Illinois.

HOUSE RESOLUTION 65

Offered by Representative D'Amico:

Congratulates the students, faculty, staff, and alumni of St. Edward Catholic School in Chicago on the occasion of the 100th anniversary of the school.

HOUSE RESOLUTION 66

Offered by Representative Howard:

Mourns the death of Mildred L. DeShazor of Chicago.

**RESOLUTION**

Having been reported out of the Committee on Rules on February 14, 2011, HOUSE JOINT RESOLUTION 10 was taken up for consideration.

Currie moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

Ordered that the Clerk inform the Senate and ask their concurrence.

**ACTION ON MOTIONS**

Pursuant to the motion submitted previously, Representative Yarbrough moved to table HOUSE BILL 1189.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Pritchard moved to table HOUSE BILL 187.

The motion prevailed.

**SUSPEND POSTING REQUIREMENTS**

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to Senate Bill 1 to be heard in Executive committee.

The motion prevailed.

**AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 48, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 64, 65 and 66 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

HOUSE RESOLUTION 12 was taken up for consideration.

Representative Jerry Mitchell moved that all Members of the House of Representatives be added as sponsors.

Representative Jerry Mitchell moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

At the hour of 1:02 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, February 16, 2011, at 11:30 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS  
NINETY-SEVENTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

February 15, 2011

0 YEAS

0 NAYS

112 PRESENT

P Acevedo	P DeLuca	P Lilly	P Reitz
P Arroyo	P Dugan	P Lyons	P Riley
P Barickman	P Dunkin	P Mathias	P Rita
P Beaubien	P Durkin	P Mautino	P Rose
P Beiser	P Eddy	P May	P Rosenthal
P Bellock	P Farnham	P Mayfield	P Roth
P Berrios	P Feigenholtz	P McAsey	P Sacia
P Biss	P Flowers	P McAuliffe	P Saviano
P Bost	P Ford	P McCarthy	P Schmitz
P Bradley	P Fortner	P McGuire	P Senger
P Brady	P Franks	P Mell	P Sente
P Brauer	P Gabel	A Mendoza	E Sommer
P Brown	E Golar	P Mitchell, Bill	P Sosnowski
P Burke, Daniel	P Gordon, Jehan	P Mitchell, Jerry	P Soto
P Burke, Kelly	P Hammond	P Moffitt	P Stephens
A Burns	P Harris, David	P Morrison	P Sullivan
P Cavaletto	P Harris, Greg	P Morthland	P Thapedi
P Chapa LaVia	P Hatcher	E Mulligan	P Tracy
P Coladipietro	P Hays	P Mussman	P Tryon
P Cole	P Hernandez	P Nekritz	P Turner
P Collins	P Holbrook	P Nybo	P Unes
P Colvin	P Howard	P Osmond	P Verschoore
P Connelly	P Jackson	A Osterman	P Watson
P Crespo	P Jakobsson	P Phelps	P Williams
P Cross	P Jefferson	P Pihos	P Winters
P Cunningham	P Jones	P Poe	P Yarbrough
P Currie	P Kay	P Pritchard	P Zalewski
P D'Amico	P Kosel	P Ramey	P Mr. Speaker
P Davis, Monique	P Lang	P Reboletti	
P Davis, William	P Leitch	P Reis	

E - Denotes Excused Absence

**14TH LEGISLATIVE DAY****Perfunctory Session****TUESDAY, FEBRUARY 15, 2011**

At the hour of 2:58 o'clock p.m., the House convened perfunctory session.

**INTRODUCTION AND FIRST READING OF BILLS**

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 1516. Introduced by Representative Franks, AN ACT concerning government.

HOUSE BILL 1517. Introduced by Representative Franks, AN ACT concerning revenue.

HOUSE BILL 1518. Introduced by Representative Currie, AN ACT concerning revenue.

HOUSE BILL 1519. Introduced by Representative Reboletti, AN ACT concerning the death penalty.

HOUSE BILL 1520. Introduced by Representative Reboletti, AN ACT concerning criminal law.

HOUSE BILL 1521. Introduced by Representative Rose, AN ACT concerning regulation.

HOUSE BILL 1522. Introduced by Representative Durkin, AN ACT concerning local government.

HOUSE BILL 1523. Introduced by Representative Mathias, AN ACT concerning civil law.

HOUSE BILL 1524. Introduced by Representative Pritchard, AN ACT concerning health.

HOUSE BILL 1525. Introduced by Representative Pritchard, AN ACT concerning revenue.

HOUSE BILL 1526. Introduced by Representative Pritchard, AN ACT concerning local government.

HOUSE BILL 1527. Introduced by Representative Lang, AN ACT concerning State government.

HOUSE BILL 1528. Introduced by Representative Lang, AN ACT concerning controlled substances.

HOUSE BILL 1529. Introduced by Representative Lang, AN ACT concerning insurance.

HOUSE BILL 1530. Introduced by Representative Lang, AN ACT concerning insurance.

HOUSE BILL 1531. Introduced by Representative Berrios, AN ACT concerning local government.

HOUSE BILL 1532. Introduced by Representative Verschoore, AN ACT concerning courts.

HOUSE BILL 1533. Introduced by Representative Verschoore, AN ACT concerning revenue.

HOUSE BILL 1534. Introduced by Representative Farnham, AN ACT concerning health facilities.

HOUSE BILL 1535. Introduced by Representative Farnham, AN ACT concerning health facilities.

HOUSE BILL 1536. Introduced by Representative Farnham, AN ACT concerning revenue.

HOUSE BILL 1537. Introduced by Representative Chapa LaVia, AN ACT concerning veterans.

HOUSE BILL 1538. Introduced by Representative Chapa LaVia, AN ACT concerning appropriations.

HOUSE BILL 1539. Introduced by Representative Chapa LaVia, AN ACT concerning regulation.

HOUSE BILL 1540. Introduced by Representative Beiser, AN ACT concerning elections.

HOUSE BILL 1541. Introduced by Representative Beiser, AN ACT concerning transportation.

HOUSE BILL 1542. Introduced by Representative Nekritz, AN ACT concerning government.

HOUSE BILL 1543. Introduced by Representative Beiser, AN ACT concerning civil law.

HOUSE BILL 1544. Introduced by Representative Davis, Monique, AN ACT concerning public employee benefits.

HOUSE BILL 1545. Introduced by Representative Davis, Monique, AN ACT concerning education.

HOUSE BILL 1546. Introduced by Representative Dugan, AN ACT concerning public aid.

HOUSE BILL 1547. Introduced by Representative Davis, Monique, AN ACT concerning State government.

HOUSE BILL 1548. Introduced by Representative Franks, AN ACT concerning local government.

HOUSE BILL 1549. Introduced by Representative Osmond, AN ACT concerning civil law.

HOUSE BILL 1550. Introduced by Representative Zalewski, AN ACT concerning employment.

HOUSE BILL 1551. Introduced by Representative Yarbrough, AN ACT concerning human rights.

HOUSE BILL 1552. Introduced by Representative Nybo, AN ACT concerning human rights.

HOUSE BILL 1553. Introduced by Representative Sente, AN ACT concerning civil law.

HOUSE BILL 1554. Introduced by Representative Sente, AN ACT concerning liquor.

HOUSE BILL 1555. Introduced by Representative Sente, AN ACT concerning safety.

HOUSE BILL 1556. Introduced by Representative Sente, AN ACT concerning criminal law.

HOUSE BILL 1557. Introduced by Representative Sente, AN ACT concerning insurance.

HOUSE BILL 1558. Introduced by Representative Gabel, AN ACT concerning wind energy.

HOUSE BILL 1559. Introduced by Representative Gabel, AN ACT concerning insurance.

HOUSE BILL 1560. Introduced by Representative Sacia, AN ACT concerning civil law.

HOUSE BILL 1561. Introduced by Representative Lilly, AN ACT concerning State government.

HOUSE BILL 1562. Introduced by Representative Hatcher, AN ACT concerning State government.

HOUSE BILL 1563. Introduced by Representative Colvin, AN ACT concerning local government.

HOUSE BILL 1564. Introduced by Representative Mayfield, AN ACT concerning human rights.

HOUSE BILL 1565. Introduced by Representative Mayfield, AN ACT concerning human rights.

HOUSE BILL 1566. Introduced by Representative Mayfield, AN ACT concerning education.

HOUSE BILL 1567. Introduced by Representative Watson, AN ACT concerning public aid.

HOUSE BILL 1568. Introduced by Representative Mayfield, AN ACT concerning education.

HOUSE BILL 1569. Introduced by Representative Bellock, AN ACT concerning government.

HOUSE BILL 1570. Introduced by Representative Mayfield, AN ACT concerning education.

HOUSE BILL 1571. Introduced by Representative Mayfield, AN ACT concerning education.

HOUSE BILL 1572. Introduced by Representative Mayfield, AN ACT concerning education.

HOUSE BILL 1573. Introduced by Representative Holbrook, AN ACT concerning transportation.

HOUSE BILL 1574. Introduced by Representative Hernandez, AN ACT concerning civil law.

HOUSE BILL 1575. Introduced by Representative Hernandez, AN ACT concerning local government.

HOUSE BILL 1576. Introduced by Representative Dugan, AN ACT concerning local government.

HOUSE BILL 1577. Introduced by Representative Mautino, AN ACT concerning health.

HOUSE BILL 1578. Introduced by Representative Mautino, AN ACT concerning local government.

HOUSE BILL 1579. Introduced by Representative Mautino, AN ACT concerning State government.

HOUSE BILL 1580. Introduced by Representative Mautino, AN ACT concerning finance.

HOUSE BILL 1581. Introduced by Representative Mautino, AN ACT concerning State government.

HOUSE BILL 1582. Introduced by Representative May, AN ACT concerning safety.

HOUSE BILL 1583. Introduced by Representatives Osmond - Cross, AN ACT concerning State government.

HOUSE BILL 1584. Introduced by Representative Jakobsson, AN ACT concerning regulation.

HOUSE BILL 1585. Introduced by Representative Sente, AN ACT concerning professional regulation.

HOUSE BILL 1586. Introduced by Representative Jakobsson, AN ACT concerning revenue.

HOUSE BILL 1587. Introduced by Representative Pritchard, AN ACT concerning education.

HOUSE BILL 1588. Introduced by Representative Pritchard, AN ACT concerning education.

HOUSE BILL 1589. Introduced by Representative Pritchard, AN ACT concerning civil law.

HOUSE BILL 1590. Introduced by Representative Winters, AN ACT concerning employment.

HOUSE BILL 1591. Introduced by Representative Bellock, AN ACT concerning health.

HOUSE BILL 1592. Introduced by Representative Brauer, AN ACT concerning transportation.

HOUSE BILL 1593. Introduced by Representative Brauer, AN ACT concerning transportation.

HOUSE BILL 1594. Introduced by Representative Soto, AN ACT concerning education.

HOUSE BILL 1595. Introduced by Representative Soto, AN ACT concerning education.

HOUSE BILL 1596. Introduced by Representative Soto, AN ACT concerning education.

HOUSE BILL 1597. Introduced by Representative Soto, AN ACT concerning education.

HOUSE BILL 1598. Introduced by Representative Acevedo, AN ACT concerning criminal law.

HOUSE BILL 1599. Introduced by Representative Acevedo, AN ACT concerning criminal law.

HOUSE BILL 1600. Introduced by Representative Ford, AN ACT concerning health.

HOUSE BILL 1601. Introduced by Representative Ford, AN ACT concerning State government.

HOUSE BILL 1602. Introduced by Representative Riley, AN ACT concerning wildlife.

HOUSE BILL 1603. Introduced by Representative Riley, AN ACT concerning wildlife.

HOUSE BILL 1604. Introduced by Representative Howard, AN ACT concerning child visitation, which may be referred to as the Steven Watkins Memorial Act.

HOUSE BILL 1605. Introduced by Representatives Moffitt - Bost, AN ACT concerning local government.

HOUSE BILL 1606. Introduced by Representative Davis, William, AN ACT concerning intermodal facilities.

HOUSE BILL 1607. Introduced by Representative Davis, William, AN ACT concerning civil law.

HOUSE BILL 1608. Introduced by Representatives Nekritz - Feigenholtz, AN ACT concerning condominium property.

HOUSE BILL 1609. Introduced by Representative Nekritz, AN ACT concerning civil law.

HOUSE BILL 1610. Introduced by Representative May, AN ACT concerning local government.

HOUSE BILL 1611. Introduced by Representative May, AN ACT concerning insurance.

HOUSE BILL 1612. Introduced by Representative May, AN ACT concerning State government.

HOUSE BILL 1613. Introduced by Representative McAsey, AN ACT concerning local government.

HOUSE BILL 1614. Introduced by Representative McAsey, AN ACT concerning revenue.

HOUSE BILL 1615. Introduced by Representative McAsey, AN ACT concerning criminal law.

HOUSE BILL 1616. Introduced by Representative McAsey, AN ACT concerning criminal law.

HOUSE BILL 1617. Introduced by Representative McAsey, AN ACT concerning corrections.

HOUSE BILL 1618. Introduced by Representative McAsey, AN ACT concerning criminal law.

HOUSE BILL 1619. Introduced by Representative McAsey, AN ACT concerning criminal law.

HOUSE BILL 1620. Introduced by Representative McAsey, AN ACT concerning courts.

HOUSE BILL 1621. Introduced by Representative Beaubien, AN ACT concerning aging.



HOUSE BILL 1622. Introduced by Representative McAsey, AN ACT concerning corrections.

HOUSE BILL 1623. Introduced by Representative McAsey, AN ACT concerning courts.

HOUSE BILL 1624. Introduced by Representative McAsey, AN ACT concerning jobs.

HOUSE BILL 1625. Introduced by Representative McAsey, AN ACT concerning revenue.

HOUSE BILL 1626. Introduced by Representative Sosnowski, AN ACT concerning local government.

HOUSE BILL 1627. Introduced by Representative Sosnowski, AN ACT concerning government vehicles.

HOUSE BILL 1628. Introduced by Representative Sosnowski, AN ACT concerning criminal law.

HOUSE BILL 1629. Introduced by Representative Sacia, AN ACT concerning State government.

HOUSE BILL 1630. Introduced by Representative Sacia, AN ACT concerning revenue.

HOUSE BILL 1631. Introduced by Representative Sacia, AN ACT concerning transportation.

HOUSE BILL 1632. Introduced by Representative Zalewski, AN ACT concerning regulation.

HOUSE BILL 1633. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1634. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1635. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1636. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1637. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1638. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1639. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1640. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1641. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 1642. Introduced by Representative Hatcher, AN ACT concerning finance.

HOUSE BILL 1643. Introduced by Representative Hatcher, AN ACT concerning appropriation bills.

HOUSE BILL 1644. Introduced by Representative Hatcher, AN ACT concerning State government.

HOUSE BILL 1645. Introduced by Representative Hatcher, AN ACT concerning revenue.

HOUSE BILL 1646. Introduced by Representative Hatcher, AN ACT concerning revenue.

HOUSE BILL 1647. Introduced by Representative Hatcher, AN ACT concerning revenue.

HOUSE BILL 1648. Introduced by Representative Hatcher, AN ACT concerning revenue.

HOUSE BILL 1649. Introduced by Representative Hatcher, AN ACT concerning public aid.

HOUSE BILL 1650. Introduced by Representative Sosnowski, AN ACT concerning elections.

HOUSE BILL 1651. Introduced by Representative Lyons, AN ACT concerning regulation.

HOUSE BILL 1652. Introduced by Representative Bellock, AN ACT concerning insurance.

HOUSE BILL 1653. Introduced by Representative Bellock, AN ACT to amend the Illinois Income Tax Act.

HOUSE BILL 1654. Introduced by Representative Bellock, AN ACT concerning public aid.

HOUSE BILL 1655. Introduced by Representative Bellock, AN ACT concerning criminal law.

HOUSE BILL 1656. Introduced by Representative Bellock, AN ACT concerning public aid.

HOUSE BILL 1657. Introduced by Representative Bellock, AN ACT concerning conservation.

HOUSE BILL 1658. Introduced by Representative Bellock, AN ACT concerning public health.

HOUSE BILL 1659. Introduced by Representative Bellock, AN ACT concerning health.

HOUSE BILL 1660. Introduced by Representative Bellock, AN ACT concerning health.

HOUSE BILL 1661. Introduced by Representative Bellock, AN ACT concerning insurance.

HOUSE BILL 1662. Introduced by Representative Bellock, AN ACT concerning public aid.

HOUSE BILL 1663. Introduced by Representative Bellock, AN ACT concerning public health.

HOUSE BILL 1664. Introduced by Representative Gabel, AN ACT concerning education.

HOUSE BILL 1665. Introduced by Representative Gabel, AN ACT concerning home birth integration.

HOUSE BILL 1666. Introduced by Representative Gabel, AN ACT concerning health facilities.

HOUSE BILL 1667. Introduced by Representative Mayfield, AN ACT concerning revenue.

**HOUSE JOINT RESOLUTIONS  
CONSTITUTIONAL AMENDMENTS  
FIRST READING**

Representative Fortner introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 9**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by changing Section 6 as follows:

**ARTICLE IV  
THE LEGISLATURE**

**SECTION 6. ORGANIZATION**

(a) A majority of the members elected to each house constitutes a quorum.

(b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its

membership a President of the Senate as presiding officer. A person may serve no more than a total of 8 years in any one of the following offices and no more than a combined total of 12 years in any 2 or more of the following offices: Speaker of the House of Representatives, President of the Senate, Minority Leader of the House of Representatives, or Minority Leader of the Senate; provided that service before the second Wednesday in January of 2014 shall not be considered in the calculation of a person's service.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

(Source: Illinois Constitution.)

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 9 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Beiser introduced the following:

#### **HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 10**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article XIII of the Illinois Constitution by adding Section 9 as follows:

#### **ARTICLE XIII GENERAL PROVISIONS**

#### **SECTION 9. MARRIAGE**

Only marriage between a man and a woman is valid or recognized in Illinois.

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 10 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Cunningham introduced the following:

#### **HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 11**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 8, 11, and 12 of Article VI of the Illinois Constitution as follows:

#### **ARTICLE VI THE JUDICIARY**

## SECTION 8. ASSOCIATE JUDGES

Each Circuit Court shall have such number of Associate Judges as provided by law. Associate Judges shall be appointed by the Circuit Judges in each circuit as the Supreme Court shall provide by rule. In the First Judicial District, unless otherwise provided by law, at least one-fourth of the Associate Judges shall be appointed from, and reside, outside Chicago. The Supreme Court shall provide by rule for matters to be assigned to Associate Judges. A person shall not be appointed as an Associate Judge after the adoption of this Amendment unless he or she has been certified as qualified by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as provided in Section 11 of this Article.

(Source: Illinois Constitution.)

## SECTION 11. ELIGIBILITY FOR OFFICE

No person shall be eligible to be a Judge or Associate Judge unless he is a United States citizen, a licensed attorney-at-law of this State, and a resident of the unit which selects him. No change in the boundaries of a unit shall affect the tenure in office of a Judge or Associate Judge incumbent at the time of such change. A person who is not a Judge or Associate Judge on the date that this Amendment is adopted shall not be eligible to be a Judge or Associate Judge unless he or she has actively practiced law in this State for at least 10 years before his or her election or appointment as a Judge or Associate Judge and his or her license to practice law in this State has not been suspended or revoked for disciplinary reasons by the Supreme Court, and the person has been certified as qualified to be a Judge or Associate Judge by at least 5 members of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois. The certification by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois shall be effective for 2 years after it is issued. A person issued certification is eligible for recertification if the requirements of this Section are met. During the evaluation process, the Commission shall consider each candidate's legal experience, skill and knowledge, as well as his or her academic background, personal character, commitment to community service, and professional conduct and temperament. The Commission may consult with the Illinois State Bar Association and other well established local bar associations in evaluating applicants for Judge or Associate Judge. The Commission shall charge an applicant for Judge or Associate Judge a suitable fee, set by the Commission, in an amount necessary to defray all costs incurred by the evaluation process.

(Source: Illinois Constitution.)

## SECTION 12. ELECTION AND RETENTION

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

(d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.

(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit.

(f) After the adoption of this Amendment, before a candidate for Judge is eligible to circulate petitions or be placed on the ballot for nomination or election as a Supreme, Appellate and Circuit Judge, he or she must be certified as qualified to hold the office of Judge by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as provided in Section 11 of this Article VI.  
(Source: Illinois Constitution.)

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies only to persons seeking election or appointment as a Judge or Associate Judge after the adoption of this Amendment.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 11 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Jakobsson introduced the following:

### HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 12

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IX of the Illinois Constitution by changing Section 3 as follows:

#### ARTICLE IX REVENUE

#### SECTION 3. LIMITATIONS ON INCOME TAXATION

(a) A tax on or measured by individual income ~~may~~ shall be at a graduated or a non-graduated rate. At any one time there may be no more than one such tax imposed by the State for State purposes on individuals and one such tax so imposed on corporations. Any such tax imposed on corporations shall be at a non-graduated rate. In any such tax imposed upon corporations the rate shall not exceed the average of the lowest and highest rates ~~rate~~ imposed on individuals by more than a ratio of 8 to 5.

(b) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.

(Source: Illinois Constitution.)

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 12 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Lilly introduced the following:

### HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 13

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 2 and 5 of Article IV of the Illinois Constitution as follows:

#### ARTICLE IV THE LEGISLATURE

#### SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) Each Legislative District shall be divided into two Representative Districts. ~~In 1982 and every two years thereafter~~ One Representative shall be elected from each Representative District ~~for a term of two years. During each ten-year period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.~~

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or a Representative office ~~or in any other Senatorial office~~, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

(Source: Amendment adopted at general election November 4, 1980.)

#### SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years. ~~during the term for which members of the House of Representatives are elected.~~

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine.

(Source: Illinois Constitution.)

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the terms of Representatives elected in 2012 and thereafter.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 13 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Bellock introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 14**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article VIII of the Illinois Constitution as follows:

**ARTICLE VIII  
FINANCE**

**SECTION 2. STATE FINANCE**

(a) The Governor shall prepare and submit to the General Assembly, at a time prescribed by law, a State budget for the ensuing fiscal year. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal year, the estimated receipts, and a plan for expenditures and obligations during the fiscal year of every department, authority, public corporation and quasi-public corporation of the State, every State college and university, and every other public agency created by the State, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the State and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget.

(b) The General Assembly by law shall make appropriations for all expenditures of public funds by the State. Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year. General fund expenditures in a fiscal year shall not exceed the amount of the general fund revenues in the immediately prior fiscal year.

(Source: Illinois Constitution.)

**SCHEDULE**

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 14 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

At the hour of 3:28 o'clock p.m., the House Perfunctory Session adjourned.